

**DNR CENTRAL REGION
HEADQUARTERS**1200 Warner Road
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fax transmittal form

Date: 9-16-03To: Mike NooneLocation: ND Water CommissionFax: 201-328-3747From: Julie Ekman, Area HydrologistFax: 651.772.7977Number of Pages (including cover): 4

Message:

The permit doesn't address the pumping rate, but notes in the file say the proposed rate was to increase pumping from 900 gpm to 2400 gpm.

Special Provision #19 regarding the screen is due to the belief that the high pump rate could create a dangerous situation; it wasn't for weeds.

NA-02733-04

(Rev.3/90)

MINNESOTA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATERS**PROTECTED WATERS
PERMIT**

P.A. Number

91-6025

Pursuant to Minnesota Statutes, Chapter 105, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and others supporting data, all of which are made a part hereof by reference, PERMISSION IS HEREBY GRANTED to the applicant named below to change the course, current or cross section of the following:

Protected Water Lake Holiday (27-90P), Wing Lake (27-91P, and Woodgate Pond (27-769)	County Hennepin
Name of Applicant City of Minnetonka	Telephone Number (Include Area Code) (612) 933-2511
Address (No. & Street, RFD, Box No., City, State, Zip Code) 14600 Minnetonka Blvd., Minnetonka, MN 55345	
Authorized to: SEE ATTACHMENT A	
Purpose of Permit: Flood Protection and Stormwater Management	Expiration Date of Permit November 30, 1991
Property Described as: SW 1/4 NW 1/4, Section 28, Township 117N, Range 22W	County Hennepin
As Indicated: (8) Does not apply	As Indicated: (11) the ordinary high water elevation

This permit is granted subject to the following GENERAL and SPECIAL PROVISIONS:

GENERAL PROVISIONS

1. This permit is permissive only and shall not release the permittee from any liability or obligation imposed by Minnesota Statutes, Federal Law or local ordinances relating thereto and shall remain in force subject to all conditions and limitations now or hereafter imposed by law.
2. This permit is not assignable except with the written consent of the Commissioner of Natural Resources.
3. The Regional Hydrologist shall be notified at least five days in advance of the commencement of the work authorized hereunder and shall be notified of its completion within five days thereafter. The Notice of Permit issued by the Commissioner shall be kept securely posted in a conspicuous place at the site of operations.
4. No change shall be made, without written permission previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.
5. The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.
6. This Permit may be terminated by the Commissioner of Natural Resources at any time he deems it necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the provisions of this permit, unless otherwise provided in the Special Provisions.
7. Construction work authorized under this permit shall be completed on or before date specified above. Upon written request to the Commissioner by the Permittee, stating the reason therefore, an extension of time may be obtained.
8. The excavation of soil authorized herein shall not be construed to include the removal of organic matter (as indicated above) unless the area from which such organic matter is removed, is impervious, or is sealed by the application of bentonite after excavation.
9. In all cases where the doing by the permittee of anything authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding therewith, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights and interests necessary therefore.

10. This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable provisions of law.
11. No material excavated by authority of this permit nor material from any other source, except as specified herein, shall be placed on any portion of the bed of said waters which lies below (as indicated above).
12. Any extension of the surface of said waters resulting from work authorized by this permit shall become protected waters and left open and unobstructed for use by the public.
13. This permit does not obviate any requirement for federal assent from the U.S. Army Corps of Engineers, 1421 U.S. Post Office and Custom House, St. Paul, Minnesota 55101-9808.

SPECIAL PROVISIONS

- 14) The permittee shall comply with all rules, regulations, requirements, or standards of the Minnesota Pollution Control Agency and other applicable federal, state, or local agencies.
- 15) Permittee shall ensure that the contractor has received and thoroughly understands all conditions of this permit.
- 16) Erosion control measures shall be adequately designed for the site characteristics. They may include staked haybales, diversion channels, sediment ponds, or sediment fences. They shall be installed prior to commencement and maintained throughout project. All exposed soil shall be restored (by seeding and mulching or sodding and staking) within 72 hours of completion of project.
- 17) Excavated materials shall not be deposited or stored alongside the protected water in a manner where the materials can be redeposited into the protected water by reasonably expected high water or storm runoff.
- 18) A sediment barrier shall be installed around the area of excavation placement during the project to limit turbidity to the affected areas. This barrier may involve use of a filter fabric material attached to stakes or a snow fence anchored to the lakebed. The barrier shall be removed upon completion of the work, after sediment is settled.
- 19) Intake: The end section of the intake pipes shall be screened as safety measures.
- 20) Attention should be given to methods of screening the outlet from view as much as possible through the use of plantings.
- 21) Discharge through the water level control structures shall not commence until all downstream water level control structures are in place and fully operational.
- 22) Within 6 months of completion of the work authorized by this permit, the City of Minnetonka shall amend local floodplain ordinance to reflect the changes in 100-year flood elevations.

cc: USCOE
Hennepin SWCD
9-Mile Creek WSD
Riley-Purgatory-Bluff Creek WSD
AFM, Dave Zappetillo
AWM, Jon Parker
J. Konrad, C.O.
St. Paul Waters, R. Anderson
Holiday Lake (27-90P) file
Woodgate Pond (27-769P) file
Wing Lake (27-91P) file

Authorized Signature	Title	Date
David B. Miller <i>David B. Miller</i>	Supervisor, Permits Unit	3/19/91

PERMIT #91-6025

DATED: March 19, 1991BY: David S. Nicks

ATTACHMENT A

Authorized to: place a pumped, 30" RCP outlet, invert 925.5' (NGVD, 1929) in Woodgate Pond (27-769P) with an outlet elevation of 931.5' (NGVD, 1929) and which inlets to Holiday Lake (27-90P) as a 33" RCP pipe invert 936.32' (NGVD, 1929); place a pumped 18" RCP outlet, invert 931.2' (NGVD, 1929) in Lake Holiday (27-90P) with an outlet elevation of 936.7' (NGVD, 1929) and which inlets to Wing Lake as a 42" RCP pipe, invert 938.15' (NGVD, 1929); place a 48" RCP stormwater outfall, invert 935.70' (NGVD, 1929) and a 27" RCP stormwater outfall, invert 936.58' (NGVD, 1929) into Lake Holiday (27-90P). All in accordance with the plans and application submitted August 9, 1990.